

**BOROUGH OF WESTWOOD
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
July 11, 2011**

APPROVED 8/1/11

1. OPENING OF THE MEETING

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Westwood Zoning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL:

PRESENT: Guy Hartman
Christopher Owens
Raymond Arroyo, Vice-Chairman
William Martin, Chairman
Eric Oakes
Vernon McCoy (Alt #1)
Matthew Ceplo (Alt #2)

ALSO PRESENT: David Rutherford, Esq., Board Attorney
Louis Raimondi, Brooker Engineering,
Board Engineer
Steve Lydon, Burgis Associates,
Board Planner

ABSENT: Robert Bicocchi (excused absence)
Michael Bieri (excused absence)

4. MINUTES - The Minutes of the 6/6/11 meeting were carried to the next meeting on 8/1/11 on motion of Mr. Arroyo, seconded by Mr. Oakes and carried.

5. CORRESPONDENCE:

(WWZB 7/11/11)

1. Report from Louis Raimondi, Brooker Engineering, dated 6/10/11, RE: Fodor;

2. Letter from Will Layfield dated 6/30/11 RE: Wall signage;

6. **VOUCHERS:** A motion to approve vouchers totaling \$6,097.50 was made by Mr. Oakes, seconded by Mr. Owens, and carried unanimously on roll call vote.

7. RESOLUTIONS:

1. **DePaola, 112 Prospect Avenue - Certification of Non-Conformity - (Affidavit of Service Due) - Carried to 8/1/11.**

2. **Bell's Little Learners, 410 Center Avenue, Block 802, Lot 17** - Mr. Oakes recused himself and stepped down from the dais. Mr. Lafferty appeared on behalf of the applicant. Mr. Raimondi reviewed the revised site plan submitted by the applicant, revised to 6-20-11. The site plan was found to be satisfactory. Mr. Rutherford reviewed the Resolution of Approval and called for a motion for approval of the application and then a vote on the Resolution. Since there were not five eligible members present, the vote had to be carried to the 8/1/11 meeting. Mr. Lafferty thought it was approved at the last meeting, but Chairman Martin and Attorney Rutherford explained and advised that it was actually a vote authorizing the Board Attorney to prepare a Resolution. Mr. Rutherford stated he would write to Mr. Marini to advise him of this, so that the applicant could proceed. Mr. Oakes returned.

3. **Berkoben, 57 James Street, Block 1404, Lot 16 - Variance** - Mr. Rutherford reviewed the Resolution of Approval. A motion for approval of the Resolution was made by Mr. Arroyo and seconded by Mr. Owens. There were no further questions, comments or discussions. On roll call vote, Mr. Arroyo, Mr. Owens, Mr. Ceplo, and Mr. Martin voted yes. Mr. Hartman, Mr. Oakes and Mr. McKoy were not eligible to vote.

8. PENDING NEW BUSINESS:

1. **Rochford, 220 David Hooper - Certification of Non-Conforming Use** - Scheduled for 8/1/11;

(WWZB 7/11/11)

2. Rochford, 248 David Hooper - Certification of Non-Conforming Use - Scheduled for 8/1/11;

3. KMACK North, 39 Kinderkamack Road - Variance & Site Plan Approval - Scheduled for 8/1/11;

4. KMACK North, 40 Kinderkamack Road - Variance & Site Plan Approval - Scheduled for 8/1/11;

9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS:

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS
The Board Professionals were sworn in.

1. Fodor, 43 Clairmont Street - Hardship Variance - Mr. Rutherford advised they were awaiting completeness determination and notice, and if the applicant needed help with the notice, he would assist. The matter was carried to the 8/1/11 meeting.

2. Johnston, 30 Carolyn Street, Block 1002, Lot 7 - Certification of Non-conforming Use - Mr. Arroyo recused himself and stepped down from the dais as he is a property owner within 200' from the subject site. Mr. Oakes recused himself and stepped down from the dais as he has ownership in a property within 200' of the subject site. Mr. Rutherford found the notice to be in order; however, the applicant needed to submit the Affidavit of Service. Applicant, Sabrina Jenne-Johnston, was sworn in and stated she grew up in the home, and she inherited the home when her mother passed away. Her mother had lived on the first floor and rented out the second floor. Mr. Martin asked if there were two separate meters, and Ms. Johnston responded no, but the heat and electric were always included in the rent. Mr. Owens asked and Ms. Johnson replied that there are two separate staircases and two separate entrances. The property tax records were found to be in order. There were no further questions and no interested parties.

A motion to approve the certification was made by Mr. Owens and seconded by Mr. Hartman. On roll call vote, Mr. Hartman, Mr. Owens, Mr. McKoy, Mr. Ceplo, and Mr. Martin voted yes.

Mr. Arroyo and Mr. Oakes returned to the dais.

(WWZB 7/11/11)

10. DISCUSSION:

1. An Update on Master Plan Re-Examination - Mr. Martin gave an update as to the Planning Board's discussions at the last meeting.

11. ADJOURNMENT - On motions, made seconded and carried, the meeting was adjourned at approx. 8:38 p.m.

Respectfully submitted,

MARY R. VERDUCCI, Paralegal
Zoning Board Secretary